

Application Serial No. 09/989,714
In reply to Office Action of 8 April 2004

Attorney Docket No. 82937

REMARKS/ARGUMENTS

As at the issuance of the above-identified Office Action this case contained claims 1-20, claims 1-3, 5-10, 12-18 and 20, of which claims 1-3, 5-10, 12-18 and 20 were rejected and of which claims 4, 11 and 19 were objected to. No claims are allowed. The present amendment amends claim 4-6 and 19, cancels claims 1-3, 9 and 10 and adds new claims 21-24. It is to be understood that Applicants are canceling claim 1-3, 9 and 10 without prejudice.

The amendments to the specification are in the nature of minor corrections of typographical errors.

An amendment inserting "element" in lines 32 and 38 of claim 4 corrects an error consisting of term "functional element interface task" not being accurately repeated in later recitations where the same term is intended. Amendments of text within claims 5 and 6 better comports the syntax of these dependant claims to the syntax in a parent or an intermediate claim, without changing the scope of the claims.

In the above referenced Office Action, the Examiner rejected claims 1-3, 5 and 16 under 35 U.S.C. 103(a) citing Stone (reference D: U.S. Patent No. 6,523,137) as the primary section 102 reference and Cuniff et al. (reference B: U.S. Patent No. 5,842,015) as a secondary reference to overcome deficiencies of Stone in the nature failing to explicitly state

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claimed subject matter. It is noted that the date of patenting of Stone (the primary reference) is February 18, 2003, which is subsequent to Applicant's filing date of July 3, 2001.

Claim 6 is rejected under 35 U.S.C. 103(a) again citing Stone as the primary section 102 reference, with Cuniff also a secondary reference and Miles (reference A on page 2 of the PTO-892: U.S. Patent NO. 6,654,911) another secondary reference. Again, it is noted that the patenting date of Stone is subsequent to Applicant's filing date.

Claims 7-10, 12-15, 17, 18 and 20 are rejected under 35 U.S.C. 102(b), again citing Stone, the reference whose patenting date is subsequent to Applicant's filing date.

The objections to dependant claims 4, 11 and 19 are made in conjunction with the Examiner's statement that they are allowable upon incorporation therein of the limitation of parent and intermediary claims thereof.

These rejection and objections are respectfully traversed in view of this amendment.

Applicant's respectfully request that the rejections of claims 5-8, 12-18 and 20 on the basis of 35 U.S.C. 103(a) or 35 U.S.C. 102(b) in which Stone is relied upon as the primary reference or the sole reference, be withdrawn. Applicants respectfully disagree with use of Stone as a primary 103(a) reference or as a 102(b) since its date of patenting is

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subsequent to Applicant's filing date. It is noted that a rejection of these claims on a basis of Stone being a 102(e) component reference of a 35 U.S.C. 103(a) rejection, or being a sole 35 U.S.C. 102(e) reference, might take the proceeding down a path requiring Applicant's to reply. However such a rejection would give the Applicants a larger range of substantive forms of reply to choose from.

Applicants note with appreciation the Examiner's indication that claims 4 and 19 would be allowable if rewritten to include all of the limitations of their base and any intervening claims. Applicant's have amended claims 4 and 19 to provide these inclusions and their allowance is respectfully requested.

Applicant's have amended claims 5, and 6 to depend from claim 4, which the Examiner has indicated as allowable. As dependent from amended claim 4, claims 5 and 6 have at least all method steps which distinguish over their current rejections under 35 U.S.C. 103(a) based upon Stone and Cuniff et al., and under 35 U.S.C. 103(a) based upon Cuniff et al further in view of Miles, respectively. Accordingly, it is submitted that claims 5 and 6 are allowable, which action is respectfully requested.

Similarly, Applicant have added claims 21, 22, 23 and 24 which import the features and limitations of claims 14, 17, 18 and 20, respectfully, in a form depending from claim 19.

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Allowance of these new claims on the basis that they all least recite same element as are in amended claim 19, which the Examiner states is allowable, is respectfully requested.

Reexamination and favorable reconsideration in light of the above amendments and comments is respectfully requested.

The Examiner is invited to telephone Michael F. Oglo, Attorney for Applicants, at 401-832-4736 if, in the opinion of the Examiner, such a telephone call would serve to expedite the prosecution of the subject patent application.

Respectfully submitted,

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